

**COMPLETE SET OF PENDING CLAIMS**

1. (Currently Amended) A method comprising:  
receiving a first acoustic transmission from a phone;  
receiving a secondary acoustic transmission over a secondary path, the first and second acoustic transmissions originating from an audio source signal which includes audible content; and  
matching the first acoustic transmission to the second acoustic transmission.
2. (Currently Amended) A method as claimed in claim 1, and further comprising:  
decoding an acoustic a mark contained within the second acoustic transmission; and  
associating the acoustic mark with the first acoustic transmission.
3. (Currently Amended) A method as claimed in claim 21, wherein multiple secondary acoustic transmissions are received and processed to identify a best match between the first acoustic transmission and one of the secondary acoustic transmissions.
4. (Currently Amended) A method as claimed in claim 3, wherein the number of secondary acoustic transmissions processed to identify the best match is reduced by using information related to a user of the phone.
5. (Original) A method as claimed in claim 4, wherein the information comprises information about the location of the user or a call-in number used by the user.
6. (Currently Amended) A method as claimed in claim 2, wherein the association between associating the acoustic mark and first acoustic transmission is extended to include further includes using links to information relating to a user of the phone to perform the association between the mark and the first acoustic transmission.
7. (Original) A method as claimed in claim 6, wherein the information is selected from a group comprising the user's telephone number, a stored user profile, user phone inputs, other

marks and the source of the acoustic transmission.

8. (Currently Amended) A method as claimed in claim 2, wherein the association between the acoustic mark and the first acoustic transmission triggers another transaction.
9. (Original) A method as claimed in claim 8, wherein the transaction is sending a voice response to the user.
10. (Original) A method as claimed in claim 8, wherein the transaction is sending an email to the user.
11. (Currently Amended) A method as claimed in claim 1, wherein the first and second acoustic transmissions comprise a an audio radio broadcast content.
12. (Currently Amended) A method as claimed in claim 1, wherein the first and second acoustic transmissions comprise a television broadcast content.
13. (Original) A method as claimed in claim 1, wherein the secondary path is selected from a group comprising an over-the air radio broadcast, a television terrestrial broadcast, cable, satellite, Internet, T1 and frame relay.
14. (Currently Amended) A method comprising:  
receiving a first audio audible acoustic transmission over a first path;  
receiving the a second audio same acoustic transmission over a second path, the first and second audio transmissions originating from an audio source signal which includes audible content; and  
associating a acoustic mark encoded in the second audio transmission received over the second path with the acoustic first audio transmission received over the first path.
15. (Withdrawn)
16. (Withdrawn)

17. (Withdrawn)
18. (New) The method of claim 1 further comprising:  
initiating a transaction based on the match.
19. (New) The method of claim 2 further comprising:  
initiating a transaction based on the mark.
20. (New) The method of claim 2 wherein the mark is associated with the audible content.
21. (New) The method of claim 2 wherein the mark is associated with the source of the audio source signal.
22. (New) The method of claim 2 wherein the mark is an inaudible mark.
23. (New) The method of claim 1 wherein the received first acoustic transmission is a degraded version of the secondary acoustic transmission.
24. (New) The method of claim 1, wherein the secondary path is a wireless communication link.
25. (New) The method of claim 1, wherein the secondary path is a wired communication link.
26. (New) The method of claim 1 wherein matching the first acoustic transmission to the second acoustic transmission includes matching the audible content of the first acoustic transmission to the audible content of the secondary acoustic transmission.
27. (New) The method of claim 26 wherein matching the first acoustic transmission to the second acoustic transmission includes matching a mark in the first acoustic transmission to a mark in the secondary acoustic transmission.

28. (New) The method of claim 26 wherein the audio content includes at least portions of an advertisement.

29. (New) The method of claim 28 wherein a mark in the second acoustic transmission is associated with the advertisement.

30. (New) The method of claim 26 wherein the audio content includes at least portions of a song.

31. (New) A method comprising:

identifying a first acoustic transmission by comparing it with other acoustic transmissions received from a secondary source, the first acoustic transmission and other acoustic transmissions originating from audio source signals which includes audible content.

32. (New) The method of claim 31 wherein the comparison of the first acoustic transmission and other acoustic transmissions includes comparing a portion of the audible content of the first acoustic transmission to portions of audible content in the other acoustic transmissions.

33. (New) An apparatus comprising:

a first communication interface to receive a first acoustic transmission from a phone;  
a second communication interface to receive a secondary acoustic transmission over a secondary path, the first and second acoustic transmissions originating from an audio source signal which includes audible content; and

a processing unit configured to match the first acoustic transmission to the second acoustic transmission.

34. (New) The apparatus of claim 33 wherein the processing unit is further configured to decode a mark contained within the secondary acoustic transmission; and  
associate the mark of the secondary acoustic transmission with the first acoustic transmission.

35. (New) The apparatus of claim 33 wherein multiple secondary acoustic transmissions are received and processed to identify a match between the first acoustic transmission and one of the secondary acoustic transmissions.

36. (New) A transaction server comprising:

means for receiving a first acoustic transmission from a phone;

means for receiving a secondary acoustic transmission over a secondary path, the first and second acoustic transmissions originating from a source signal which includes audio content; and

means for matching the first acoustic transmission to the second acoustic transmission.

37. (New) A machine-readable medium comprising instructions executable by a processor for matching a first audio signal to a second audio signal to identify the first audio signal, which when executed by a processor, causes the processor to perform operations comprising:

receive a first acoustic transmission from a user's telephone;

compare the first acoustic transmission with other audible acoustic transmissions received over a second path, the first acoustic transmission and other acoustic transmissions originating from audio source signals which include audible content;

match the first acoustic transmission to a second acoustic transmission received over the second path;

associate a mark contained within the second acoustic transmission with the first acoustic transmission; and

initiate a transaction based on the match and set of decision rules.

38. (New) A method operational on a network operations center, comprising:

identifying an audio transmission by comparing a first audio transmission received from a first path to one or more audio transmissions received through a different path.

39. (New) The method of 38 wherein the first audio transmission and one or more audio transmissions originating from audio source signals which include audible content and an inaudible mark.

40. (New) The method of 38 wherein the first audio transmission is received from a phone.
41. (New) The method of 40 wherein the identified audio transmission is associated with information related to the phone.
42. (New) The method of 40 wherein the identified audio transmission is associated with user information received from the phone.
43. (New) The method of 38 wherein the match of the first audio transmission to the second audio transmission includes one of either a simple match, a best match, a time-frequency correlation match, or a feature match.
44. (New) The method of 38 further comprising:  
executing a transaction based on the identity of the first audio transmission, wherein the transaction is dependent on a set of decision rules stored by the network operations center.
45. (New) The method of 38 further comprising:  
executing a transaction based on the identity of the first audio transmission, wherein the transaction is dependent on information obtained from a phone that transmits the first audio transmission.
46. (New) The method of 38 further comprising:  
executing a transaction based on the identity of the first audio transmission, wherein the transaction is dependent on information provided by a user.
47. (New) The method of 38 further comprising:  
executing a transaction based on the identity of the first audio transmission, wherein the transaction is dependent on information associated with a user.
48. (New) The method of 38 further comprising:  
executing a transaction based on the identity of the first audio transmission and sending a communication to a phone that transmits the first audio transmission.

49. (New) The method of 38 further comprising:  
executing a transaction based on the identity of the first audio transmission,  
sending a communication to another device.
50. (New) The method of 38 wherein the first audio transmission originates as one of either a radio broadcast content, a television broadcast content, a public address system broadcast content, or a media player content.
51. (New) The method of claim 38 further comprising:  
identifying a subset of audio transmissions to which the first audio transmission is compared by using information associated with the sender of the first audio transmission user.
52. (New) The method of claim 38 further comprising:  
identifying a subset of audio transmissions to which the first audio transmission is compared by using information associated with the geographic location of the sender of the first audio transmission user.
53. (New) The method of claim 52 wherein such geographic location is one of a global positioning information, area code information, caller identification information, or information defined in a user profile.
54. (New) The method of claim 38 further comprising:  
reducing the number of one or more audio transmissions received through the different path by using information related to a user of the phone.
55. (New) A method operational on a network operations server, comprising:  
identifying an audio transmission by comparing a first audio transmission received from a first path to one or more audio transmissions received via a different path, the first audio transmission and one or more audio transmissions originating from audio source signals which include audible content and an encoded mark;

decoding an encoded mark in the second audio transmission; and  
associating the decoded mark with the first audio transmission.

56. (New) The method of claim 55 further comprising:  
associating the decoded mark with a user who provided the first audio transmission.
57. (New) The method of claim 55 further comprising:  
initiating a transaction using the decoded mark.
58. (New) The method of claim 55 further comprising:  
initiating a transaction using the decoded mark and information associated with the  
second audio transmission.
59. (New) The method of claim 55 further comprising:  
initiating a transaction using the decoded mark and information associated with a network  
operations center user.
60. (New) The method of claim 55 wherein the encoded mark is associated with a broadcast  
station of the first audio transmission.
61. (New) The method of claim 55 wherein the encoded mark is associated with individual  
works within the first audio transmission.

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**